

REMARKS

Claims 1-30 are pending in the present application. Claims 14-30 have been withdrawn from consideration by the Examiner as being drawn to a non-elected invention. Claims 1-13 were provisionally projected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of the copending documents listed on page 2, paragraph III of the Office Action. To the best of Applicants' understanding, the patents or applications which serve as a basis for the obviousness-type double patenting rejection are U.S. Patent Publication No. 2002/0115027 A1; U.S. Patent No. 6,705,777 B2; U.S. Patent No. 6,793,417 B2; U.S. Patent No. 6,461,061 B2; U.S. Patent Publication No. 2001/0052932 A1; U.S. Patent No. 6,540,416 B2; U.S. Patent Application SN 09/750,824; U.S. Patent No. 6,707,557 B2; and U.S. Patent No. 6,788,335 B2.

With respect to the above, Applicants are submitting a terminal disclaimer for U.S. Patent No. 6,793,417 and U.S. Patent No. 6,461,061.

For the remaining patents, publications or applications, Applicants believe that the claims of these patents, publications or applications do not conflict with the claims that are presently pending in the present application.

More specifically, U.S. Patent Publication No. 2002/0115027 includes claims which are essentially directed to a development tunnel. Additional claims of this publication are directed to the combination of a photographic film processing system that includes a development station that is adapted to heat film and a transport system that is operable to transport the film. The pending claims in the present application relate to a scanning system that includes a light source and a sensor to measure light from film. This is believed to be different from the claims in U.S. patent Publication No. 2002/0115027 A1 which relate to the concept of a developing tunnel.

With regard to U.S. Patent 6,705,777, this patent includes claims directed to a digital film development system that requires a user interface and a film loader. These elements are not in the pending claims of the present application and, therefore, the claims of the patent are not to be in conflict with the pending claims in the present application.

With regard to U.S. Patent Publication No. 2001/0052932 A1, this patent publication includes claims directed to a digital film processing system that includes at least a processing circuitry coupled to a light source and operable to adjust an output of the light source in response to first and second outputs so that the sensors do not saturate. The requirement of the processing circuitry in this patent publication is not believed to conflict with the pending claims of the present application which relate to elements of a scanning station.

U.S. Patent 6,540,416 includes claims that require at least processor in communication with a sensor that is adapted to determine an image on a film in response to a first and second set of optical data. The provision of a processor in this patent is not believed to conflict with the pending claims of the present application.

U.S. Patent application Serial No. 09/750,824 specifies first and second film development times, wherein a first digital image is created during a first development time and a second digital image is developed during second development time. These features of the claims of pending application Serial No. 09/750,824 are not believed to conflict with the pending claims of the present application.

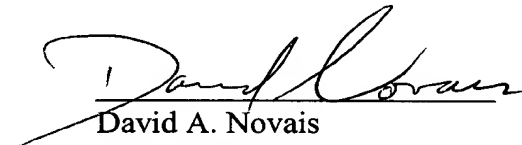
U.S. Patent 6,707,557 includes claims that require a processing system that is adapted to determine a first set of non-uniformity data using an unexposed data, and adjusting an exposed imaging data in response to the set of non-uniformity data. Therefore, the claims in this patent are not believed to conflict with the pending claims of the present application.

U.S. Patent 6,788,335 includes claims that are directed to a processing circuitry and the adjustment of an integration time of a first sensor, an output signal amplitude of a first light source, and an output signal pulse width of light from the first light source in response to a calculated relationship to provide a next output illumination level for a next time interval. The claims of this patent do not conflict with the pending claims in the present application.

Therefore, as noted above, the present response includes a terminal disclaimer related to U.S. Patent Nos. 6,793,417 and 6,461,061. For the reasons noted above, it is believed that a terminal disclaimer for the remaining patents, applications or publications listed in the office Action is not warranted.

In view of the foregoing comments, it is submitted that the inventions defined by each of claims 1-13 are patentable, and a favorable reconsideration of this application is therefore requested.

Respectfully submitted,


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